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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                        |                    |
|------------------------|--------------------|
| Application Number     | 10/674,745         |
| Filing Date            | September 30, 2003 |
| First Named Inventor   | Dennis M. Hilton   |
| Art Unit               | 1711               |
| Examiner Name          | Not yet assigned   |
| Attorney Docket Number | 621P002c/pDiv.     |

Total Number of Pages in This Submission

### ENCLOSURES (Check all that apply)

|  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | -Form PTO-1449   |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD, Number of CD(s) _____                                      | -Reference cited - 1   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | Remarks   | -Copy of Communication dated 3/1/04  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                   |
|-------------------------|-----------------------------------|
| Firm or Individual name | Kevin S. Lemack<br>Niels & Lemack |
| Signature               |                                   |
| Date                    | March 18, 2004                    |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                 |      |                |
|-----------------------|-----------------|------|----------------|
| Typed or printed name | Kevin S. Lemack |      |                |
| Signature             |                 | Date | March 18, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton et al.  
Serial No. : 10/674,745  
Filed : September 30, 2003  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Not yet assigned  
Art Unit : 1711  
Attorney  
Docket No. : 621P002c/pDiv.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

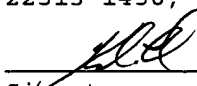
INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the documents which are listed on the attached form PTO 1449.


I hereby certify that the first citation of each item of information contained in this information disclosure statement in a communication from a foreign patent office in a counterpart foreign application was not made, in any communication from the foreign office, more than three months prior to the filing of this statement. An English language version of the search report indicating the degree of relevance found by the foreign office is filed herewith.

Copies of the documents listed on the attached form are filed herewith.

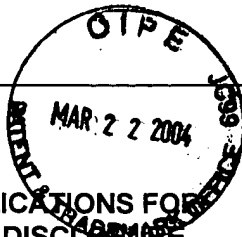
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Signature: **Kevin S. Lemack**  
Date: **March 18, 2004**

Respectfully submitted,

  
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|  |   |                                 |
|--|---|---------------------------------|
| <b>FORM PTO-1449</b><br><br><b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> | <b>ATTY. DOCKET NO.</b><br>621P002c/pDiv. | <b>SERIAL NO.</b><br>10/674,745 |
|  | Dennis M. Hilton et al.                   |                                 |
|  | <b>FILING DATE</b><br>September 30, 2003  | <b>GROUP</b><br>1711            |


**REFERENCE DESIGNATION**
**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE    | NAME    | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|-----------------|---------|---------|-------|----------|----------------------------|
|                  | AA | 3,839,269       | 10/1974 | Comegys | 260   | 41R      |                            |
|                  | AB |                 |         |         |       |          |                            |
|                  | AC |                 |         |         |       |          |                            |
|                  |    |                 |         |         |       |          |                            |

**FOREIGN PATENT DOCUMENTS**

|  |    | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|----|-----------------|------|---------|-------|----------|-------------|----|
|  |    |                 |      |         |       |          | YES         | NO |
|  | BA |                 |      |         |       |          |             |    |
|  | BB |                 |      |         |       |          |             |    |
|  | BC |                 |      |         |       |          |             |    |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

|  |    |  |  |
|--|----|--|--|
|  | CA |  | Copy of the Communication dated 3/1/2004 |
|  | CB |  |  |
|  | CB |  |  |
| <b>EXAMINER</b>  |    |  | <b>DATE CONSIDERED</b>                   |
| <b>EXA MINER:</b> Initial reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <i>and</i> not considered. Include copy of this form with next communication to applicant. |    |  |  |